Cr.MMO No. 126 of 2007.

31.12.2007 Present: Mr. G.R. Palsra, Advocate, for the petitioner.

The learned Court below while exercising its discretion under Section 389 of the Code of Criminal Procedure for suspension of sentence and conviction vide the impugned order dated 1st December, 2007 has directed the petitioner to deposit Rs.2 lacs within 45 days representing the amount of compensation awarded by the learned Magistrate while convicting the petitioner for an offence under Section 138 of the Negotiable Instruments Act. Aggrieved against this part of the order the petitioner has come to this Court invoking this Court's jurisdiction under Section 482 of the Code of Criminal Procedure.

After hearing Mr. G.R. Palsra, learned Counsel appearing for the petitioner and on going through the impugned order, I find that the direction regarding the deposit of compensation of Rs.2 lacs cannot be termed either as unreasonable or in violation of any law if one keeps in mind the fact that in the judgment of the learned Magistrate convicting the petitioner it has clearly been established that after borrowing Rs.2 lacs from the respondent-complainant the petitioner had issued a cheque of this amount which was dis-honoured on presentation.

No interference is called for. The petition is dismissed in limine.

Cr.M.P. No. 654 of 2007.

In view of the order dismissal of the main petition, this application is also dismissed.

December 31, 2007. **(V.K. Gupta), C.J.**
(rc)